

THE HONORABLE BRIAN A. TSUCHIDA

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

CHRISTOPHER J. HADNAGY, an individual; and SOCIAL-ENGINEER, LLC, a Pennsylvania limited liability company,

## Plaintiffs.

V.

JEFF MOSS, an individual; DEF CON COMMUNICATIONS, INC., a Washington corporation; and DOES 1-10; and ROE ENTITIES 1-10, inclusive.

## Defendants.

No. 2:23-cv-01932-BAT

**DECLARATION OF MATT  
MERTENS IN SUPPORT  
DEFENDANTS' MOTION TO  
EXCLUDE BEN THOMAS**

**Noted For Consideration: April 4, 2025**

1 I, Matt Mertens, declare and state as follows:

2 1. I am an attorney at Perkins Coie LLP, and I serve as counsel for  
3 Defendants Def Con Communications, Inc. and Jeff Moss (collectively, "Defendants")  
4 in the above-entitled action. I submit this declaration in support of Defendants'  
5 Motion to Exclude Plaintiffs Christopher Hadnagy and Social-Engineer, LLC's  
6 (collectively, "Hadnagy") Expert Ben Thomas.

7 2. The information contained in this declaration is true and correct to the  
8 best of my knowledge, and I am of majority age and competent to testify about the  
9 matters set forth herein.

10 3. Attached hereto as **Exhibit A** is a true and correct copy of the Expert  
11 Report of Ben Thomas.

12 4. Attached hereto as **Exhibit B** is a true and correct copy of an excerpt  
13 from the deposition of Ben Thomas conducted November 4, 2024.

14 5. Attached hereto as **Exhibit C** is a true and correct copy of the  
15 spreadsheet prepared by Hadnagy and produced in discovery with Bates number  
16 SE\_001761.

17 I declare under penalty of perjury under the laws of the State of Washington  
18 that the foregoing is true and correct.

19  
20 Dated: March 7, 2025

21 s/Matt Mertens

22 Matt Mertens